

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

) Criminal No. 1:15-CR-292(MAD)

v.

) Indictment

PRESTON JAMES,

) Violations: 21 U.S.C. §§ 841(a)(1),
841(b)(1)(B), 841(b)(1)(C)
[Distribution of a Controlled

Substance]

U.S. DISTRICT COURT - N.D. OF N.Y.

FILED

OCT 14 2015

AT _____ O'CLOCK

Lawrence K. Baerman, Clerk - Albany

Defendant.

) 4 Counts

) County of Offense: Schenectady

THE GRAND JURY CHARGES:

COUNT 1

[Distribution of a Controlled Substance]

On or about April 29, 2015, in Schenectady County in the Northern District of New York, the defendant, PRESTON JAMES, knowingly and intentionally distributed a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1). That violation involved 28 grams or more of a mixture and substance which contained a detectable amount of cocaine base (crack), in violation of Title 21, United States Code, Section 841(b)(1)(B).

COUNT 2

[Distribution of a Controlled Substance]

On or about April 21, 2015, in Schenectady County in the Northern District of New York, the defendant, PRESTON JAMES, knowingly and intentionally distributed a controlled substance in violation of Title 21, United States Code, Section 841(a)(1). That violation involved

cocaine base (crack), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

COUNT 3
[Distribution of a Controlled Substance]

On or about April 9, 2015, in Schenectady County in the Northern District of New York, the defendant, **PRESTON JAMES**, knowingly and intentionally distributed a controlled substance in violation of Title 21, United States Code, Section 841(a)(1). That violation involved cocaine base (crack), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

COUNT 4
[Distribution of a Controlled Substance]

On or about April 6, 2015, in Schenectady County in the Northern District of New York, the defendant, **PRESTON JAMES**, knowingly and intentionally distributed a controlled substance in violation of Title 21, United States Code, Section 841(a)(1). That violation involved cocaine base (crack), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

PRIOR DRUG FELONY CONVICTION

1. Counts One through Four of this Indictment are hereby incorporated by reference.
2. **PRESTON JAMES** has a prior, final conviction for a felony drug offense, that is:

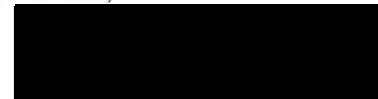
on or about April 9, 2009, in Rockland County Court, New York, the defendant was convicted of Attempted Criminal Possession of a Controlled Substance in the Third Degree, a class C felony, in violation of the New York Penal Law Sections 110.00 and 220.16(1), and was sentenced to two years imprisonment; and on or about June 16, 2006,

in Kings County Supreme Court, New York, the defendant was convicted of Criminal Possession of a Controlled Substance in the Fifth Degree, a class D felony, in violation of the New York Penal Law Section 220.06(1), and was sentenced to five years of probation,

which convictions affect the penalty provisions of Title 21, United States Code, Section 960(b)(3), which apply to Count One of this Information.

Dated: October 14, 2015

A TRUE BILL, name redacted



Grand Jury Foreperson

RICHARD S. HARTUNIAN
United States Attorney

By:

Emily Farber
Emily Farber
Assistant United States Attorney
Bar Roll No. 519174